

08/29/01

JC85 U.S. PTO
1.53(b)UTILITY
PATENT APPLICATION
TRANSMITTAL

08-31-01

Attorney Docket No.	590083-20
First Inventor	PAUL STELZER
Title	MINIMALLY INVASIVE SURGERY DEVICE
Express Mail Label No.	EL819166088US

For new nonprovisional applications under 37 CFR 1.53(b)

11017 U.S. PTO
09/943346

08/29/01

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 22]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix.
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 13]
5. ☒ Oath or Declaration [Total Pages 4]
- ☐ Newly executed (original or copy)
 - ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table
or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CFR)
 - b. Specification sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & documents(s))
10. ☐ 37 CFR 3.73(b) Statement
☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i).
Applicant must attach from PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation ☒ Divisional ☐ Continuation-in-part (CIP) ☐

Prior application information: Examiner: DAVE NGUYEN

of prior application No.: 09/247,707
Group/Art Unit: 3739

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under

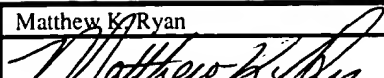
Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

The incorporation can only be relied upon which a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or ☒ Correspondence address below

Name	MATTHEW K. RYAN, Reg. 30,800				
	FROMMER LAWRENCE & HAUG LLP				
Address	745 Fifth Avenue				
City	New York	State	NY	Zip Code	10151
Country	U.S.	Telephone	(212) 588-0800	Fax	(212) 588-0500

Name (Print/Type)	Matthew K. Ryan	Registration No. (Attorney/Agent)	30,800
Signature		Date	August 29, 2001

00026377

FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.
These are the fees effective October 1, 2000.
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

TOTAL AMOUNT OF PAYMENT (\$)**1,880.00**

Complete if Known

Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	PAUL STELZER
Examiner Name	To Be Assigned
Group/Art Unit	To Be Assigned
Attorney Docket No.	590083-2000.2

METHOD OF PAYMENT1. ☐

The Commissioner is hereby authorized to charge
indicated fees and credit any over payments to:

Deposit
Account
Name

Deposit
Account
Number

Frommer Lawrence & Haug LLP

50-0320

☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed

☐ Check ☐ Money Order ☒ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	\$355.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					\$355.00

2. EXTRA CLAIM FEES

	Extra Claim	Fee from below	Fee Paid
Total Claims	1 -20** = 0	X 0	= 0
Ind. Claims	1 -3** = 0	X 0	= 0
Multiple Dependent	1	X 0	= 0

** or number previously paid, if greater; for reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	130	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent
107	490	207	245	Plant filing fee
SUBTOTAL (2) 0				

FEE CALCULATION**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205		Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or Cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request of reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth Month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	160	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use Proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive- unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional Applications	
126	240	126	240	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify)					
Other fee (specify)					
SUBTOTAL (3)					(\$0)

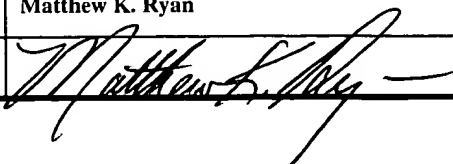
* Reduced by Basic Filing Fee

SUBMITTED BY

Typed or
Printed Name

Matthew K. Ryan

Signature



Date

August 29,
2001

Complete (if applicable)

Reg. Number

30,800

Deposit Account

50-0320